IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

FRIDAY, THE 2ND MARCH 2007 / 11TH PHALGUNA 1928

WP(C).No. 7043 of 2007(L)

PETITIONER:

M/S.THE MALAPPURAM DISTRICT CO-OP BANK
LTD., REPRESENTED BY ITS GENERAL MANAGER,
MALAPPURAM, KERALA.

BY ADV. SRI.M.ASOKAN
SRI.DEVAPRASANTH.P.J.

RESPONDENTS:

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1. THE APPELLATE TRIBUNAL (EMPLOYEES
PROVIDENT FUND), REPRESENTED BY ITS SECRETARY,
NEHRU PLACE, NEW DELHI, PIN- 110019.

2. ASSISTANT PROVIDENT FUND COMMISSIONER &
RECOVERY OFFICER, EMPLOYEES PROVIDENT FUND
ORGANISATION,SUB REGIONAL OFFICE,
BHAVISHYA NIDHI BHAVAN, ERANHIPALAM P.O.
KOZHIKODE.

BY ADV.SRI.THOMAS MATHEW NELLIMMOOTTIL.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 02/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

THOTTATHIL B. RADHAKRISHNAN, J.

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WP(C).No. 7043 OF 2007-L

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Dated this the 2nd day of March, 2007.

JUDGMENT

Heard the learned counsel for the petitioner and Adv.Sri.Thomas Mathew Nellimmoottil for the respondents.

2. Since the petitioner has deposited more than one half of the amount covered by the impugned order and having regard to the fact that the petitioner is a co-operative bank, the first respondent Appellate Tribunal will take up the appeal of the petitioner pending since 2003 and dispose it off within six months from the date of receipt of a copy of this judgment. Until then, the distress action on the basis of the impugned order will stand stayed.

The writ petition is disposed of in the above terms.

THOTTATHIL B. RADHAKRISHNAN,
JUDGE.

Sha/-